

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Robert Akita et al. Serial No.: 09/825,584 Filed: April 4, 2001 For: ISOLATED NUCLEIC ACIDS, VECTORS AND HOST CELLS ENCODING ErbB3 ANTIBODIES (AS AMENDED)	Group Art Unit: 1643 Examiner: Yaen, Christopher H. Confirmation No: 3718 CUSTOMER NO: 09157
	FILED ELECTRONICALLY ON NOVEMBER 1, 2006

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

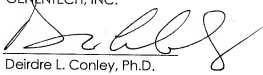
Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated July 26, 2006, of the Primary Examiner finally rejecting claims 34-39.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$500 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. **A duplicate copy of this Notice is enclosed for this purpose.**

Respectfully submitted,
GENENTECH, INC.

Date: November 1, 2006

By:


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